UNITED STATES PATENT AND TRADEMARK OFFICE

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09/940,623	08/29/2001	Daisaku Horie	44239-083	5612

7590 02/22/2005	EXAMINER
MCDERMOTT, WILL & EMERY	ROSARIO, DENNIS
600 13th Street, N.W.	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/940,623	HORIE, DAISAKU
		Examiner	Art Unit
		Dennis Rosario-Vasquez	2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 October 2004/A·mt.</u>

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>17-32</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>19,24 and 30</u> is/are allowed.

6)☒ Claim(s) <u>17,18,20-23,25-29,31 and 32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>29 August 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   The amendment was entered on October 28, 2004. Claims 17-32 are pending.

Response to Arguments

2.   Applicant's arguments with respect to claims 6-10, page 11, filed 10/28/2004 has

been fully considered but they are not persuasive.

More specifically, page 11, lines 12-14 states," Ricard fails to disclose...an image

process program ("algorithm" in Ricard, col. 9, line 40) (recorded on a computer

readable recording medium) causing a computer (Ricard, fig. 1, num. 101:CPU) to

detect edges ("algorithm for...detecting [creases for removal]" in col. 9, lines 40 and 41

which is executed using the CPU.) using a lightness component ("intensity" in col. 9,

line 46) and then causing (The computer programs [, such as the above algorithm,]

...comprise instructions which, when read...by...one...processor[ ] [fig.1,num. 101: CPU

] ... perform[s] the steps necessary to execute [or cause] steps...embodying the various

aspects of the present invention (col. 4, lines 60-66).") the computer (Ricard, fig. 1, num.

101:CPU) to select...a specific one of the detected edges ("a machine[or computer]-

executed algorithm for automatically detecting suspect areas...to identify an...area" in

col. 9, lines 40-42.)."

However, Fig. 1, num. 101:CPU detects or identifies edges or "suspect areas" in col. 9, line 41 using an "algorithm for...detecting [creases for removal]" in col. 9, lines 40 and 41. Note that Ricard states," The computer programs [, such as the above algorithm,] ...comprise instructions which, when read...by...one...processor[ ] [fig.1,num. 101: CPU] ... perform[s] the steps necessary to execute steps...embodying the various aspects of the present invention (col. 4, lines 60-66)." In other words, the processor reads a computer program to cause an edge detection step, such as the above algorithm that detects or identifies edges, of the invention. Thus, the processor of fig. 1,num. 101:CPU or computer detects edges via the above algorithm.).

In regard to page 11, lines 16-19 states, "Column 9, lines 40-62 of Ricard describes that as an alternative, a machine-executed algorithm for automatically detecting **suspect areas** in the image could be used **in conjunction with user input** to identify an elongated area to be repaired."

Thus, Ricard describes that as an alternative, a machine-executed algorithm for automatically detecting suspect areas in the image **could be used in conjunction with user input** to identify an elongated area to be repaired." Thus, user input **could** be used to identify an elongated area to be repaired and is not required to have user input.

3.   Applicant's arguments, see amendment, page 13, lines 1-5, filed 10/28/2004, with respect to claim 14 have been fully considered and are persuasive. The rejection of claim 14 has been withdrawn.

4.   Applicant's arguments, page 13, lines 5-17 with respect to claims 14-16 have

been considered but are moot in view of the new ground(s) of rejection with respect to

Ricard (US Patent 6,731,795 B1).

Claim Objections

5.   The following quotations of 37 CFR § 1.75(a) is the basis of objection:

> (a) The specification must conclude with a claim particularly pointing out and distinctly claiming
> the subject matter which the applicant regards as his invention or discovery.

6.   Claims 21 and 31 are objected to under 37 CFR § 1.75(a) as failing to particularly

point out and distinctly claim the subject matter which the applicant regards as his

invention or discovery.

Claim 21, line 3,"said lightness image" ought to be amended to "a lightness

image".

Claim 31, line 8: "the relevant portion" has no antecedent basis. The phrase, "the

relevant portion" ought to be amended to "the lightness component in a portion of the

original image".

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

8.   Claims 17,18,20,21,22,23,25,26-29,31 and 32 are rejected under 35 U.S.C.

102(e) as being anticipated by Ricard (US Patent 6,731,795 B1).

Regarding claim 17, Ricard discloses an image processing apparatus,

comprising:

a)   a receiving unit to receive (fig. 1,num. 116 is a scanner in col. 3, line 45

that receives an "image" in col. 3, line 45.) an image ("digital copy" in col. 3, line 46) of

an original image ("image on another medium" in col. 3, line 45);

b)   a converting unit to convert (Fig. 1,num. 116 converts from a "another

medium to create a digital copy" in col. 3, lines 45 and 46.) said received image ("digital

copy" in col. 3, line 46) into a lightness image (The "digital copy" in col. 3, line 46

contains an "intensity" in col. 9, line 46. Thus, the digital copy is a lightness or "intensity

or brightness" in col. 2, line 36 image.) including [the] a lightness component (The digital

copy contains an "intensity or brightness" in col. 2, line 36 "attribute" in col. 2, line 36.)

and into a color (The digital copy "include[s]... hue" in col. 2, lines 34-37. Note that the

digital image contains "color values" in col. 2, line 35 which include brightness and hue

in col. 2, lines 34-37.) difference image (The digital copy contains a hue or color where

a difference is obtained in col. 9, line 45.) including a color difference component (The

digital copy contains a color difference in col. 9, line 45 where the color or "hue" in col.

2, line 37 is an "attribute" in col. 2, lines 36 and 37. Thus the difference is a color

difference where the color is an attribute or component; hence a color difference

component.);

c)   an edge detecting unit (Fig. 1, num. 102:MEMORY is a unit that contains

an "algorithm for...detecting [creases for removal]" in col. 9, lines 40 and 41.) including

a processor (fig. 1,num. 101:CPU) to detect edges (Fig. 1,num. 101:CPU detects or

identifies edges or "suspect areas" in col. 9, line 41 using an "algorithm for...detecting

[creases for removal]" in col. 9, lines 40 and 41. Note that Ricard states," The computer

programs [, such as the above algorithm,] ...comprise instructions which, when

read...by...one...processor[ ] [fig.1,num. 101: CPU] ... perform[s] the steps necessary

to execute steps...embodying the various aspects of the present invention (col. 4, lines

60-66)." In other words, the processor reads a program to execute an edge detection

step, such as the above algorithm that detects or identifies edges, of the invention.

Thus, the processor of fig. 1,num. 101:CPU detects edges via the above algorithm.

Note that suspect areas correspond to edges.) using a lightness component (The

algorithm of col. 9, line 40 uses "intensity" in col. 9, line 46.) of said received image (fig.

1,num. 107:SCANNER ADAPTER receives an image of an original image.),

d)   said processor (fig. 1,num. 101:CPU) determining (Fig. 1,num. 101: CPU

determines via an "algorithm for...detecting [creases for removal]" in col. 9, lines 40 and

.41 whether edges or "suspect areas" in col. 9, line 41 correspond to folds or creases

using a set of edge detection "criteria" in col. 9, line 45 in the original image.) whether

said edges ("suspect areas" in col. 9, line 41.) correspond to folds (The algorithm of col.

9, line 40 that detects edges or suspect areas corresponds to a "Crease [or fold]

Remove" step shown in fig. 3B, num. 311: "Crease Remove?".) in the original image

(Fig. 1, num. 116 is a scanner that contains the original image);

e)   a selecting unit (Fig. 1, num. 102:MEMORY is a unit that contains an

"algorithm for...detecting [creases for removal]" in col. 9, lines 40 and 41 and

corresponds to fig. 3B,num. 312:Select Rectangular Area. Thus, the algorithm of col. 9,

line 40 detects and selects creases for removal using a selection area.) to select an

edge determined by said processor (fig. 1,num. 101:CPU first determined an edge or

suspect area in col. 9, line 49 then selects via the algorithm of col. 9, lines 53-55 that

corresponds to the selecting step of fig. 3B,num. 312: Select Rectangular Area.) to

correspond to a fold (or crease) in the original image (Fig. 1, num. 116 is a scanner that

contains the original image.) as a specific one (The algorithm of col. 9, line 40 selects

one suspect area from other suspect areas in col. 9, line 49.) of said detected edges

(Fig. 1,num. 101:CPU detects or identifies edges or "suspect areas" in col. 9, line 41

using an "algorithm for...detecting [creases for removal]" in col. 9, lines 40 and 41.); and

g)   a correcting unit (Fig. 1, num. 102:MEMORY is a unit that contains an

algorithm shown in fig. 3B, num. 313: Fill Selected Area Line Segments (Fig. 4).) to

correct ("to correct" in col. 7, line 13 areas to be "filled" in col. 7, line 11.) the lightness

component (fig. 4 is a detail view of fig. 3B,num. 313: Fill Selected Area Line Segments

(Fig. 4) and contains step 405 where a ... SHADE ... component will be corrected.) of

said selected specific edge (The algorithm of col. 9, line 40 selects one suspect area

from other suspect areas in col. 9, line 49.).

Regarding claim 18, Ricard discloses the image processing apparatus according

to claim 17, further comprising:

a)   an extracting unit (Fig. 2, num. 102: MEMORY is a unit that contains a

program 204: CREASE REMOVER.) to extract an original region (Fig. 2, num. 204:

CREASE REMOVER extracts a region as shown in fig. 5 where the region is enclosed

in a rectangular area.) included in said image ("digital copy" in col. 3, line 46), wherein

said processor (fig. 1,num. 101:CPU) determines (Fig. 1,num. 101: CPU determines via

an "algorithm for...detecting [creases for removal]" in col. 9, lines 40 and 41 whether

edges or "suspect areas" in col. 9, line 41 correspond to folds or creases using a set of

edge detection "criteria" in col. 9, line 45 in the original image.) the edges ("suspect

areas" in col. 9, line 41.) continuously extending from a first end (fig. 5,num. 512) to a

second end (fig. 5,num. B_{12}) of said extracted original region (fig. 5 where the region is

enclosed in a rectangular area.) as corresponding to folds (The algorithm of col. 9, line

40 that detects edges or suspect areas corresponds to a "Crease [or fold] Remove" step

shown in fig. 3B,num. 311: "Crease Remove?".) in the original image ("image on

another medium" in col. 3, line 45), and

b)   said selecting unit (Fig. 1,num. 102: MEMORY is a unit that contains a

program for selecting as shown in fig. 3B, num. 312: Select Rectangular Area.) selects

one of the edges (fig. 1,num. 101:CPU first determined an edge or suspect area in col.

9, line 49 then selects via the algorithm of col. 9, lines 53-55 that corresponds to the

selecting step of fig. 3B,num. 312: Select Rectangular Area.) continuously extending

from a first end to a second end of said extracted original region as the selected specific

edge (The algorithm of col. 9, line 40 selects one suspect area from other suspect areas

in col. 9, line 49.).

Regarding claim 20, Ricard discloses the image processing apparatus according

to claim 17, further comprising:

a)   an attribute detecting unit (Fig. 1, num. 101: MEMORY is a unit that

contains an application where a "scanning function" of fig. 2, num. 203: IMAGE APP in

col. 4, lines 44 and 45 is present and "The system would scan the image for suspect

areas" in col. 9, lines 43,44 using the above scanning function.) to detect attributes

("intensity" in col. 9, line 46.) of two regions ("neighboring pixels" in col. 9, line 47.)

separated (Neighboring pixels separated by a suspect area is detected using the

intensity.) by one of the edges (Fig. 1,num. 101:CPU detects or identifies edges or

"suspect areas" in col. 9, line 41 using an "algorithm for...detecting [creases for

removal]" in col. 9, lines 40 and 41.) detected by said edge detecting unit (Fig. 1, num.

102:MEMORY is a unit that contains an "algorithm for...detecting [creases for removal]"

in col. 9, lines 40 and 41.), wherein

b)   said processor (fig. 1,num. 101:CPU) determines (Fig. 1,num. 101: CPU

determines via an "algorithm for...detecting [creases for removal]" in col. 9, lines 40 and

41 whether edges or "suspect areas" in col. 9, line 41 correspond to folds or creases

using a set of edge detection "criteria" in col. 9, line 45 in the original image.) said one of

the edges (Fig. 1,num. 101:CPU detects or identifies edges or "suspect areas" in col. 9,

line 41 using an "algorithm for...detecting [creases for removal]" in col. 9, lines 40 and

41.) as corresponding to a fold (The algorithm of col. 9, line 40 that detects edges or

suspect areas corresponds to a "Crease [or fold] Remove" step shown in fig. 3B, num.

311: "Crease Remove?".) in the original image (Fig. 1, num. 116 is a scanner that

contains the original image) when said detected attributes ("intensity" in col. 9, line 46.)

of said two regions ("neighboring pixels" in col. 9, line 47.) are identical to each other

(Ricard states," A suspect area is one satifying several criteria...:pixels in the suspect

area are...all the same (col. 9, lines 44-49)."), and

c)   said selecting unit (Fig. 1, num. 102:MEMORY is a unit that contains an

"algorithm for...detecting [creases for removal]" in col. 9, lines 40 and 41 and

corresponds to fig. 3B,num. 312:Select Rectangular Area. Thus, the algorithm of col. 9,

line 40 detects and selects creases for removal using a selection area.) selects said one

of the edges (Fig. 1,num. 101:CPU detects or identifies edges or "suspect areas" in col.

9, line 41 using an "algorithm for...detecting [creases for removal]" in col. 9, lines 40 and

41.) as the selected specific edge (The algorithm of col. 9, line 40 selects one suspect

area from other suspect areas in col. 9, line 49.).

Regarding claim 21, Ricard discloses an image processing apparatus, comprising:

a)   a receiving unit (fig. 1,num. 116 is a scanner in col. 3, line 45 that receives an "image" in col. 3, line 45.) to receive an image ("image on another medium" in col. 3, line 45);

b)   an edge detecting unit to detect edges (Fig. 1, num. 102:MEMORY is a unit that contains an "algorithm for...detecting [creases for removal]" in col. 9, lines 40 and 41. Note that detecting creases for removal correspond to "detecting suspect areas" in col. 9, line 41.) in [said] a lightness image (The algorithm of col. 9, line 40 uses "intensity" of an image in col. 9, line 46. Hence the image is an image of lightness or intensity.) using a lightness component (The algorithm of col. 9, line 40 uses "intensity" in col. 9, line 46.) of said received image ("image on another medium" in col. 3, line 45 is received by the scanner of fig. 1,num. 116.);

c)   a background luminance value calculating unit (Fig. 1,num. 102:MEMORY is a unit that contains an application where a "scanning function" of fig. 2, num. 203: IMAGE APP in col. 4, lines 44 and 45 is present and "The system would scan" in col. 9, line 43 using the above scanning function.) to calculate (A "difference" is computed in col. 9, line 45.) background luminance values ("intensity" in col. 9, line 46 contains intensity values for the background or "neighboring" in col. 9, line 47 values.) of said received image ("image on another medium" in col. 3, line 45 is received by the scanner of fig. 1,num. 116.); and

  d)   a selecting unit (Fig. 1,num. 102: MEMORY is a unit that contains a

program for selecting as shown in fig. 3B, num. 312: Select Rectangular Area.) to select

a specific one (Fig. 1,num. 102: MEMORY is a unit that contains a program shown in

fig. 2,num. 204: CREASE REMOVER where a selection step is perform shown in fig.

3B,num. 312: Select Rectangular Area that corresponds to selecting a specific one or "a

suspect area" in col. 9, line 49 from other "suspect areas" in col. 9, line 41.) of said

detected edges (Fig. 1, num. 102:MEMORY is a unit that contains an "algorithm

for...detecting [creases for removal]" in col. 9, lines 40 and 41.), wherein

  e)   said selecting unit selects (Fig. 1,num. 102: MEMORY is a unit that

contains a program for selecting as shown in fig. 3B, num. 312: Select Rectangular

Area.) a detected edge as the specific edge (specific edge or "a suspect area" in col. 9,

line 49) when the background luminance value ("intensity" in col. 9, line 46 contains

intensity values for the background or "neighboring" in col. 9, line 47 values. Note that

the neighboring values correspond to background luminance values, because the

neighboring values correspond to a background portion of an image while edges or

suspect areas correspond to a foreground portion of an image.) of a first region

("neighboring" region in col. 9, line 47 can be a region on the left side, line A, of an

object, the enclosure of line AB, as shown in fig. 5.) of said received image ("image on

another medium" in col. 3, line 45 is received by the scanner of fig. 1,num. 116.), at a

prescribed distance (A region that is neighboring or close to the claimed specific edge

or a suspect area is a prescribed distance.) in a first direction (The first neighboring

region is directed along an edge region, line A, shown in fig. 5.) from said detected

edge (specific edge or "a suspect area" in col. 9, line 49 which is represented as an

enclosure of line AB shown in fig. 5.), is substantially equal (Ricard states, "A suspect

area is one satisfying...criteria...: there is a large difference in...intensity... between

pixels in the suspect area and neighboring pixels...(col. 9, lines 44-47)". If this criteria is

not meet then the difference of intensity between pixel value must be small which

correspond to a small difference intensity between neighboring pixels that are the same

in intensity value as opposed to a neighboring pixel and a suspect area where a large

intensity difference is obtained. Hence, neighboring pixels values are substantially equal

in background luminance values or intensity values.) to the background luminance value

("intensity" in col. 9, line 46 contains intensity values for the background or "neighboring"

in col. 9, line 47 values.) of a second region (Another neighboring region can be the

right side, line B, of the object, the enclosure of line AB, as shown in fig. 5.) of said

received image ("image on another medium" in col. 3, line 45 is received by the scanner

of fig. 1,num. 116.), at the prescribed distance (The second region that is neighboring or

close to the claimed specific edge or a suspect area is a prescribed distance.) in a

second direction (The second neighboring region is directed along an edge region, line

B of fig. 5.), opposed (The second neighboring region along line A of fig. 5 has an

opposing or opposite first region, line B of fig. 5.) to the first direction (The first

neighboring region is directed along an edge region, line A, shown in fig. 5.), from said

detected edge (specific edge or "a suspect area" in col. 9, line 49).

Claim 22 has been rejected the same as claim 17 and includes the additional limitation of a computer readable recording medium recording an image processing program which is disclosed by Ricard as shown in figure 1,num. 102:MEMORY.

Claims 23 and 28 are rejected the same as claim 18. Thus, argument similar to that presented above for claim 18 is equally applicable to claims 23 and 28.

Claim 25 is rejected the same as claim 20. Thus, argument similar to that presented above for claim 20 is equally applicable to claim 25.

Claims 26 is rejected the same as claim 21. Thus, argument similar to that presented above for claim 21 is equally applicable to claim 26.

Claims 27 and 29 are rejected the same as claim 17. Thus, argument similar to that presented above for claim 17 is equally applicable to claims 27 and 29.

Claim 31 has been addressed in claim 17 except for the additional limitation of:

a)   a correcting unit (Fig. 2,num. 102: Memory is a unit that contains a correction program 204: CREASE REMOVER) to correct a lightness component ("intensity" in col. 9, line 46) in a portion (A rectangular area shown in fig. 5) of the original image ("image on another medium" in col. 3, line 45) detected as the lightness edge (Fig. 1, num. 102:MEMORY is a unit that contains an "algorithm for...detecting [creases for removal]" in col. 9, lines 40 and 41. Note that the detected creases or edges include an intensity or lightness value.) when a difference ("a...difference" in col. 9, line 45.) in lightness ("intensity" in col. 9, line 46) between opposing portions (Fig. 5 has opposing portions or pixels such as portion A_1 and B_1.) of the original image ("image on another medium" in col. 3, line 45), each at a prescribed opposing distance (An area

that is "long and narrow" as shown in fig. 5.) from the lightness edge (Fig. 1, num.

102:MEMORY is a unit that contains an "algorithm for...detecting [creases for removal]"

in col. 9, lines 40 and 41. Note that the detected creases also referred to as "suspect

area" in col. 9, line 46 or edges include an intensity or lightness value.), is smaller (

Ricard states, "A suspect area is one satisfying several criteria...: there is a large

difference in...intensity...between pixels in the suspect area...[as shown by the

enclosed rectangular area of figure 5](col. 9, lines 44-46)." Thus, a correction will be

performed if a difference between "pixels in the suspect area [is small or] all the same"

in col. 9, lines 48,49) than a prescribed threshold value ("large difference" in col. 9, line

45.), so that after correction the relevant portion is undetected as an edge in the

lightness image (The suspect area contained a crease that was removed using fig.

2,num. 204: CREASE REMOVER and is undetected as an edge or crease.).

Claim 32 is rejected the same as claim 31. Thus, argument similar to that

presented above for claim 31 is equally applicable to claim 32.

Allowable Subject Matter

9.   Claims 19, 24 and 30 are allowed.

The following is a statement of reasons for the indication of allowable subject

matter:

Claims 19,24 and 30 are allowed in view of the applicants arguments on page

13, lines 1-5; more specifically, the prior art does not discloses or suggest selecting a

specific edge that is undetected as an edge in a color difference image.

Conclusion

10.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dennis Rosario whose telephone number is 703-305-

5431. The examiner can normally be reached on 6-3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bhavesh Mehta can be reached on 703-308-5246. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

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DR
Dennis Rosario
Unit 2621

DANIEL MIRIAM
PRIMARY EXAMINER